

Amendments to the Claims:

This listing of claims replaces all prior versions and listings of claims in the application:

Listing of Claims:

1. (Currently amended) A method of supplying a bulk quantity of moist grain by-product using rail transport, the method comprising:

loading a bulk quantity of moist grain by-product into an invertible railroad container to provide a railroad container which contains moist grain by-product;

transporting the railroad container containing moist grain by-product; and

inverting the railroad container with the grain by-product thereby removing the moist grain by-product from the inverted railroad container,

wherein the moist grain by-product has a moisture content of about 30% to about 70% by weight.

2. (Original) The method of claim 1, further comprising:

covering the moist grain by product in the railroad container; and

uncovering the moist grain by-product in the railroad container prior to inverting the railroad container to remove the moist grain by-product.

3. (Original) The method of claim 2, further comprising covering the moist grain by-product with a tarp.

4. (Previously presented) The method of claim 2, further comprising removing the moist grain by-product from the inverted railroad container to at least one grain moving device which is below a grade of the inverted railroad container.

5. (Previously presented) The method of claim 4, further comprising transferring the moist grain by-product from the grain moving device to a transportation vehicle for distribution to users of the moist grain by-product.

6. (Currently amended) A method of supplying a bulk quantity of moist cereal grain by-product using rail transport, the method comprising:

loading a bulk quantity of moist cereal grain by-product into an invertible railroad container to provide a railroad container containing cereal grain by-product;

covering the moist cereal grain by-product in the railroad container;

transporting the railroad container containing moist cereal grain by-product;

uncovering the moist cereal grain by-product in the railroad container in which the by-product was covered;

inverting the railroad container with the moist cereal grain by-product, thereby removing the moist cereal grain by-product from the railroad container; and

removing the moist cereal grain by-product from the inverted railroad container onto a grain by-product moving device which is below a grade of the inverted railroad container,

wherein the moist grain by-product has a moisture content of about 30% to about 70% by weight.

7. (Original) The method as recited in claim 6, further comprising transferring the moist cereal grain by-product from the grain moving device to a transportation vehicle for distribution to users of the moist cereal grain by-product.

8. (Previously presented) The method as recited in claim 6, wherein the railroad container is aluminum and the covering of the moist cereal grain by-product is a flexible tarp.

9. (Withdrawn) A system for transporting a bulk quantity of moist grain by-product comprising:

- a railroad container body;
- a plurality of trucks carrying the railroad container body;
- a railroad container inverter; and
- a conveyor for receiving the moist grain by-product from the inverted railroad container body.

10. (Withdrawn) The system of claim 9, further comprising a transportation vehicle for distributing the moist grain by-product to users of the moist grain by-product.

11. (Withdrawn) The system of claim 9, further comprising a wind screen located above and adjacent to at least one end of said railroad container body, the wind screen having at least one surface which is effective for deflecting air current which is generated in a direction opposite to movement of the container body when the container body is moving as part of a railroad car.

12. (Withdrawn) The system of claim 9, further comprising a flexible cover for covering at least a portion of a quantity of moist cereal by-product within said railroad container body.

13. (Withdrawn) The system of claim 12, further comprising at least one supporting rib connected to the railroad container body for supporting the flexible cover and having a breakaway portion which can be severed under a load from the moist grain by-product on the rib when the railroad container is inverted.

14. (Withdrawn) The system of claim 9, wherein the railroad container body is corrosion resistant.

15. (Withdrawn) The system of claim 13, wherein the railroad container body is aluminum.

16. (Withdrawn) A system for transporting moist cereal grain by-product, comprising:

- an open railroad container body comprised of aluminum;
- a plurality of trucks carrying said railroad container body;
- a wind screen located above and adjacent to at least one end of said railroad container body, the wind screen having at least one surface which is effective to deflect air current which is generated in a direction opposite to movement of the container when the container is moving as part of a railroad car;

- a flexible cover for covering at least a portion of a quantity of moist cereal by-product within said railroad container body;

- at least one supporting rib connected to the railroad container body for supporting the flexible cover and having a breakaway portion which can be severed under a load from moist cereal grain by-product on the rib when the railroad container is inverted;

- a railroad container inverter;

- and a conveyor for receiving moist cereal by-product from the inverted railroad container and transporting the by-product.

17. (Withdrawn) A system for transporting a bulk quantity of moist grain by-product comprising: a railroad container body comprised of aluminum;

- a plurality of trucks carrying the railroad container body;

- a wind screen located above and adjacent to at least one end of the railroad container body, the wind screen having at least one surface which is effective for deflecting air current which is generated in a direction opposite to the movement of the container when the container when the container is moving as part of a railroad car;

a flexible cover for covering at least a portion of a quantity of moist grain by-product within the railroad container body;

at least one supporting rib connected to the railroad container body for supporting the flexible cover and having a breakaway portion which can be severed under a load from the moist grain by-product on the rib when the railroad container body is inverted;

a railroad container inverter;

a conveyor for receiving moist grain by-product from the inverted railroad container;

and a transportation vehicle for distributing the moist grain by-product to users of the moist grain by-product.

18. (Withdrawn) The system of claim 17, wherein the moist grain by-product is a cereal grain by-product.

19. (Withdrawn) A system for transporting a bulk quantity of moist grain by-product comprising;

a train having at least about 50 railroad cars having inner-side walls and a floor which are adapted for hauling moist grain by-product;

a railroad car inverter;

and a conveyor for receiving the moist grain by-product from the inverted railroad car when the car is inverted to unload the moist grain by-product.

20. (Withdrawn) The system of claim 19, further comprising a transportation vehicle for distributing the moist grain by-product to users of the moist grain by-product.

21. (Withdrawn) The system of claim 19, further comprising a wind screen located above and adjacent to at least one end of each of the railroad cars, the wind screen having at least one surface which is effective for deflecting air current which is generated in a direction opposite to movement of the car when it is moving.

22. (Withdrawn) The system of claim 19, further comprising a flexible cover for covering at least a portion of the moist cereal by-product within the railroad car.

23. (Withdrawn) The system of claim 22, wherein the tarp is supported by a plurality of supporting ribs, the ribs having a breakaway portion which can be severed under a load from the moist grain by-product on the rib when the railroad car is inverted.

24. (Withdrawn) The system of claim 19, wherein the railroad car is corrosion resistant.

25. (Withdrawn) The system of claim 19, wherein the railroad car is aluminum.

26. (Withdrawn) A system for transporting a bulk quantity of moist grain by-product comprising: a train having at least about 50 railroad cars having inner-side walls and a floor which are adapted for hauling moist grain by-product comprised of aluminum;

a wind screen located above and adjacent to at least one end of each of the railroad cars, the wind screen having at least one surface which is effective for deflecting air current which is generated in a direction opposite to movement of the car when it is moving;

a flexible cover for covering at least a portion of the moist cereal by-product within the railroad car that is supported by a plurality of supporting ribs, the ribs having a breakaway portion which can be severed under a load from the moist grain by-product on the rib when the railroad car is inverted;

a railroad container inverter;

a conveyor for receiving the moist grain by-product from the inverted railroad car when the car is inverted to unload the moist grain by-product;

and a transportation vehicle for distributing the moist grain by-product to users of the moist grain by-product.

27. (Withdrawn) The system of claim 26, wherein the moist grain by-product is a cereal grain by-product.

28. (Withdrawn) A system for transporting moist grain by-product, the system comprising: a train having at least about 50 open railroad cars having corrosion-resistant, inner-side walls and floor which are adapted for hauling moist grain by-product;

a wind screen located above and adjacent to at least one end of each of the railroad cars, the wind screen having at least one surface which is effect for deflecting air current which is generated in a direction opposite to movement of the car when it is moving;

a flexible cover for covering at least a portion of the moist cereal grain by-product when the product is loaded into the car;

a railroad car inverter;

a conveyor for receiving the moist cereal by-product from the railroad car when the car is inverted to unload the moist cereal grain by product;

and the open railroad cars in the train effective for storing the moist grain by-product as it is produced without the need for storing the by-product at a production site which produces the moist grain by-product.

29. (Withdrawn) A system as recited in claim 28, wherein the open railroad cars comprise aluminum and the tarp is supported by a plurality of supporting ribs when covering the grain by-product, the ribs having a breakaway portion which can be severed under a load from the by-product when the railroad car is inverted to unload it.

30. (Withdrawn) A tarp assembly for selectively covering an open top of a railway car, the tarp assembly comprising: a tarp selectively movable between an open position allowing access to an interior of the railway car and a closed position limiting access to the interior of the

railway car;

and a frame attachable to the railway car for supporting the tarp in the closed position.

31. (Withdrawn) A tarp assembly as recited in claim 30, further comprising: a windscreen positioned at an end of the railway car effective to reduce air flow beneath the tarp in the closed position for preventing the tarp from significantly rising relative to the frame.

32. (Withdrawn) A tarp assembly according to claim 30, wherein the frame does not protrude substantially beyond sides and ends of the railway car.

33. (Withdrawn) A tarp assembly according to claim 30, wherein the tarp has an end secured relative to a first longitudinal side of the railway car and an opposite end attached to a rod, and the frame includes an elongate member attached at a second longitudinal side of the railway car opposite the first longitudinal side, the elongate member having a groove therein for receiving the rod when the tarp is in the closed position effective to secure the end of the tarp having the attached rod.

34. (Withdrawn) A tarp assembly according to claim 33, wherein the frame includes a pair of end assemblies positioned at opposite ends of the railway car, the end assemblies being configured to provide a surface for contacting of the railway car with an inverter for rotating the railway car to an upended position.

35. (Withdrawn) A tarp assembly according to claim 34, wherein the frame comprises a plurality of rib members extending between the first and second longitudinal sides of the railway car for supporting the tarp.

36. (Withdrawn) A tarp assembly according to claim 35, wherein the rib members each comprise a rib element pivotably attached via a hinge to a side of the railway car and a

shank element attached to an opposite side of the railway car, the shank and rib elements telescopingly slidable with respect to each other between a position extending between the sides of the railway car for supporting the tarp, and a position whereby the rib elements are separable from the shank elements to allow the rib elements to pivot about the hinges upon exertion of sufficient force.

37. (Withdrawn) A tarp assembly according to claim 36, wherein the tarp is wound around the rod when moving to the open position allowing access to the interior of the railway car.

38. (Withdrawn) A method of selectively allowing or restricting access to an interior of a railway car via an open top end thereof, the method comprising: providing a tarp movable between an open position allowing access to the interior of the railway car and a closed position restricting access to the interior of the railway car, the tarp having first and second edges;

attaching a frame to the railway car for supporting the tarp between sides and ends of the railway car;

and sizing the frame to not substantially protrude beyond the sides and ends of the railway car.

39. (Withdrawn) A method according to claim 38, including positioning a windscreen proximate at least one end of the railway car, the windscreen effective to reduce air flow beneath the tarp when the tarp is in the closed position.

40. (Withdrawn) A method according to claim 39, including: securing the first edge of the tarp to a first side of the top end of the railway car;

providing a rod secured to the second edge of the tarp;

securing the rod to a second side of the top end of the railway car, the second side being opposite the first side, for restricting access to the interior of the railway car;

and winding the tarp around the rod for permitting access to the interior of the railway car.

41. (Withdrawn) A method according to claim 40, comprising providing surfaces on the top end of the railway car for contact by an inverter for rotating the railway car to an upended position.

42. (Withdrawn) A method according to claim 41, comprising supporting the tarp in the closed position with a plurality of rib members extending between the first and second sides of the railway car.

43. (Withdrawn) A method according to claim 42, comprising adapting the rib members to disconnect relative to a side of the railway car to pivot about a hinge relative to the opposite side upon exertion of sufficient force thereon.

44. (Withdrawn) A method according to claim 43, comprising blocking air from flowing underneath the tarp with a wind screen positioned at ends of the railway car between the first and side sides thereof.

45. (Previously presented) The method of claim 1, wherein inverting comprises rotating the railroad container at least about 120 to about 180 degrees.

46. (Previously presented) The method of claim 1, wherein the moist grain by-product is selected from the group consisting of corn gluten feed, corn gluten meal, corn grits, and wheat bran.

47. (Previously presented) The method of claim 1, wherein the moist grain by-product is selected from the group consisting of corn gluten feed, corn distillers grains, distillers grains with solubles, and corn bran.

48. (Previously presented) The method of claim 1, wherein the moist grain by-product comprises corn gluten feed.

49. (Cancelled)

50. (Currently amended) The method of claim 1, further comprising:
loading a bulk quantity of moist grain by-product into about 50 or more invertible railroad containers;
arranging the railroad containers in a train of railroad containers;
transporting the train of railroad containers containing moist grain by-product; and
inverting the railroad containers with the grain by-product thereby removing the moist grain by-product from the inverted railroad containers,
wherein the moist grain by-product has a moisture content of about 30% to about 70% by weight.

51. (Previously presented) The method of claim 6, wherein the moist cereal grain by-product is selected from the group consisting of corn gluten feed, corn gluten meal, corn grits, and wheat bran.

52. (Previously presented) The method of claim 6, wherein the moist cereal grain by-product is selected from the group consisting of corn gluten feed, corn distillers grains, distillers grains with solubles, and corn bran.

53. (Previously presented) The method of claim 6, wherein the moist cereal grain by-product comprises corn gluten feed.

54. (Cancelled)

55. (Currently amended) The method of claim 6, further comprising:
loading a bulk quantity of moist cereal grain by-product into about 50 or more invertible railroad containers;

arranging the railroad containers in a train of railroad containers;

covering the moist cereal grain by-product in the railroad containers;

transporting the train of railroad containers containing moist cereal grain by-product;

uncovering the moist cereal grain by-product in the railroad containers in which the by-product was covered;

inverting the railroad containers with the moist cereal grain by-product, thereby removing the moist cereal grain by-product from the railroad containers; and

removing the moist cereal grain by-product from the inverted railroad containers onto a grain by-product moving device which is below a grade of the inverted railroad containers,

wherein the moist cereal grain by-product has a moisture content of about 30% to about 70% by weight.

REMARKS

Applicant submits the above amendments and the following remarks to supplement the August 29, 2005, reply to the Final Office Action of April 21, 2005.

Claims 1-48, 50-53, and 55 are now pending in this application, with claims 1 and 6 being independent. Claims 49 and 54 have been cancelled. Claims 1, 6, 50, and 55 have been amended. No new matter has been added.

Applicant thanks the examiner for extending the courtesy of an interview on August 30, 2005. During the interview claims 1, 6, 50, and 55 were discussed. Applicant agreed to amend claims 1 and 6 to quantify the moisture content of the moist grain by-product, and the examiner